

REMARKS/ARGUMENTS

Claims 1-15 remain unchanged. Claims 16-28 were previously withdrawn, as being drawn to a non-elected invention. The election was made without traverse.

Claims 1-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Benson (US 6,747,547) in view of Chung (US 7,036,730). Applicant respectfully traverses this rejection and it is respectfully suggested that this rejection does not meet the Patent Office's burden of providing prima facie showing of unpatentability for the following reasons.

Benson does not teach connecting a contactless card reader to a wireless mobile phone. Neither does Chung teach connecting a contactless card reader to a wireless mobile phone or any other analogous wireless device. Accordingly it is concluded that the combination of these two prior art references logically cannot teach connecting a contactless card reader to a wireless mobile phone.

Benson teaches about card readers and mobile phones. Chung teaches about wired voting machines and that contactless card readers are an option for the voting machines. There is no motivation or reason to associate a wired voting machine with a wireless mobile phone.

Even if one undertook such a random combination, it is still not obvious that when one connects a contactless card reader to the mobile phone via the SIM slot of the mobile phone, the phone will be able to read information from an external contactless card contactlessly via the contactless reader and then transmit the read information wirelessly to a network, as claimed in claim 1 of the present invention. It is also not obvious either that the reverse can occur i.e., data that were wirelessly received by the mobile phone can be contactlessly transmitted and stored in the contactless card, as claimed in claim 2 of the present invention. These functionalities are not obvious and therefore claims 1 and 2 are not obvious over Benson in view of Chung.

Furthermore, preservation of voter anonymity is crucial in the voting process and therefore Chung teaches that “preferably, the voting information stored in the smart card SC is written over any identifying information relating to the particular voter or such information is erased by the voting machine VM, thereby assuring that identity of the voter cannot be ascertained from the information stored in voting machine VM, in smart card SC and on printed receipt PR” (See column 6, lines 40-46). Contrary to that the present invention teaches identifying and authenticating the user to a remote entity via the information stored in the SIM card of the wireless communication device or in the contactless card. This user identification and authentication is crucial in commerce applications as described in the present invention. Accordingly, it is believed that Chung teaches away from the present invention.

Based on these reasons we conclude that not only there is no motivation, suggestion or reason for combining Benson’s teachings with the teachings of Chung, such a combination would be contrary to the teachings of Chung. Accordingly, it is believed that claim 1 is patentably distinguishable from Benson or Chung alone or from their combination.

Claims 2-15 depend directly or indirectly upon claim 1 and since claims 1 are patentably distinguishable from the cited prior art they should also be distinguishable from the cited prior art either alone or in combination with any other prior art.

In view of the above, it is submitted that claims 1-15 are in condition for allowance. Reconsideration of the claims rejection is requested and allowance of all claims at an early date is solicited.

If this response is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at 781-235-4407.

Respectfully submitted,

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I hereby certify under 37 CFR 1.10 that this correspondence is being electronically submitted on the date indicated above and is addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450